

UNITED STATES OF AMERICA

BRYANT KELLY PRIDE,

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FINAL ORDER

By: James P. Jones
United States District Judge

1. The defendant's motion (ECF No. 138), to the extent that it seeks relief from judgment under Fed. R. Civ. P. 60(b)(6) and 15(c), is **DENIED**;

2. The Clerk is DIRECTED to redocket the defendant's pro se motion (ECF No. 138) as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C. § 2255;

3. The § 2255 motion is hereby DENIED without prejudice as successive:

4. The § 2255 motion is stricken from the active docket of the court; and

5. A Certificate of Appealability is DENIED.

ENTER: February 22, 2012

/s/ James P. Jones

United States District Judge